

### 17.04.170 – Fees

#### A. Payment of Fees Required

Any person, firm, corporation or agent who files an application pursuant to this Title shall pay all fees, costs, and expenses for review of the application, plans and documents reviewed by or on behalf of the City, and for meetings and site visits necessary to evaluate the application, in accordance with the schedule established by the City and included in Appendix B (Fee Schedule). Payment generally will include an application fee and reimbursement of City costs as well as the cost of experts retained by the City. Fees and reimbursements shall be paid regardless of whether the application is approved, denied or withdrawn. (Ord. 2002-Z-17 § 1; Ord. 1993-Z-20 § 1 (part); Ord. 1981-Z-6 § 1 (part).)

In the case of Appeals, Variations, and Design Review, reimbursement for all costs incurred in connection with the review of the application shall be paid prior to issuance of any permit in connection with the requested action.

In the case of Text and Map Amendments, Special Uses, Amendments to Special Uses, Planned Unit Developments, amendments to Planned Unit Developments, and Annexations, reimbursement of all costs incurred in connection with the review of the application shall be paid prior to final action by the City Council, such as passage of an ordinance approving the application or a resolution disapproving it.

Notwithstanding anything to the contrary in this Section 17.04.170, any unit of federal, state, or local government that files an application pursuant to this Title shall only be responsible for reimbursing the City for outside consultant services and miscellaneous expenses, as described in Paragraphs 17.04.140 E and F, and shall not be responsible for filing fees or reimbursement for the cost of City staff review time.

#### B. Filing Fees

Filing fees are intended to cover the cost of providing information to the public about an application, preparing notices, distributing plans to City departments and other agencies, preparing agenda packets and minutes for the Board of Zoning Appeals, Plan Commission, Historic Preservation Commission, City Council, and other applicable review bodies, and other administrative tasks.

The petitioner/applicant shall pay the full filing fee for each category of petition or plan submitted as set forth in Appendix B (Fee Schedule). However, a single category of application may include multiple requests, and a separate fee shall not be required for each request. The fees set forth in Appendix B shall be in addition to those payable under any other provision of the St. Charles Municipal Code, as amended. Filing fees are payable upon filing of the application or petition.

(Ord. 2002-Z-17 § 1; Ord. 1993-Z-20 § 1 (part); Ord. 1981-Z-12 § 1; Ord. 1981-Z-6 § 1 (part).)

#### C. Reimbursement of Costs and Fees; Deposit Required

In addition to the filing fees provided for in this Section and Appendix B, each petitioner/ applicant shall enter into a reimbursement of fees agreement with the City. The reimbursement of fees agreement shall encompass all applications or petitions pending with the City. The reimbursement of fees agreement shall be in the form specified in Appendix B.

At the time the Petitioner/Applicant submits an application to the City, he/she shall deposit the amounts specified in Appendix B with the City to collateralize his/her obligation for reimbursement of costs for City staff review, outside consultant services, and miscellaneous expenses, as described herein.

A petitioner/applicant who withdraws his/her petition or application may apply in writing to the Director of Community Development for a refund of his/her initial deposit. The City Administrator may, in his/her discretion, approve such refund less any actual fees and costs, which the City has already paid or incurred relative to the Petition or Application.

(Ord. 2008-Z-32 § 9.)

#### D. Reimbursement for City Staff Review of Applications

The applicant shall reimburse the City for the cost per productive work hour for the time spent by each City staff member to participate in meetings, visit the site, review plans, prepare reports, conduct inspections and participate in any other activity pertaining to review of the application.

#### E. Reimbursement for Outside Consultant Services

The applicant shall reimburse the City for the direct cost of the following:

- a. Fees for landscape architect's review and consultation in connection with review of the petition or application, and inspection of construction, including meetings and associated tasks.
- b. Fees for traffic study and analysis performed by a member of the Institute of Transportation Engineers

- and approved by the City Engineer, when such traffic study and analysis is requested by the City.
  - c. Fees for City Attorney's review and negotiations in connection with the petition or application.
  - d. Fees for professional engineering consultant's review of plans and documents, including meetings and associated tasks.
  - e. Fees for planning consultant's review and consultation in connection with review of the petition or application, including meetings and associated tasks.
  - f. Fees for other professional consultants as may be necessary to review and evaluate the proposed applications, plans and documents.
- F. Reimbursement for Miscellaneous Expenses
- The applicant shall reimburse the City for miscellaneous costs incurred relative to any application or petition including, but not limited to:
- a. Publication of legal notices.
  - b. Court reporter and transcript fees.
  - c. Mailing (postage) costs.
  - d. Recording fees.
- G. Reimbursement for Engineering Inspection of Construction
- The applicant shall reimburse the City for the cost per productive work hour of the City Engineer and each Public Works Department staff member involved in inspections, plan review, meetings and associated tasks relative to inspection of construction.

(2002-Z-17 : § 1)